

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

Clark Capital Management Group, Inc., :  
: Plaintiff, :  
: v. : Civil Action No.: 2:11-CV-00772-MMB  
: :  
Genworth Financial Wealth :  
Management, Inc., :  
: Defendant. :

**NOTICE OF VOLUNTARY DISMISSAL PURSUANT TO FEDERAL RULE OF  
CIVIL PROCEDURE 41(A) WITHOUT PREJUDICE OF DEFENDANT  
GENWORTH FINANCIAL WEALTH MANAGEMENT, INC.**

Plaintiff, Clark Capital Management Group, Inc., filed its Complaint in this litigation on February 1, 2011. Defendants were never formally served with the Complaint.

The parties appear to be resolving their differences relating to this litigation.

THEREFORE, IT IS HEREBY STIPULATED by plaintiff, through its designated counsel, that this matter may be dismissed in its entirety without prejudice pursuant to Federal Rule of Civil Procedure 41(a), with each party bearing its own attorneys' fees and costs.

A Proposed Order is attached for the Court's convenience.

Dated: February 15, 2011

Respectfully submitted,

/s/ Camille M. Miller  
Camille M. Miller  
**COZEN O'CONNOR**  
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Philadelphia, PA 19103  
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Counsel for Plaintiff  
Clark Capital Management Group, Inc.

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that a true and correct copy of the foregoing NOTICE OF DISMISSAL was filed electronically through this Court's ECF System and is available for viewing and downloading from this Court's ECF System.

I further certify that a copy of the foregoing was served upon counsel for Defendants via First Class Mail, postage pre-paid at the following address:

Mr. Ted Angus  
General Counsel  
Genworth Financial Wealth Management, Inc.  
2300 Contra Costa Blvd., Suite 600  
Pleasant Hill, CA 94523-3979

/s/ Camille M. Miller  
Camille M. Miller

Dated: February 15, 2011